

Central Intelligence Agency



Washington, D.C. 20505

John G. Smith
See 04C 771135

10 March 1977

Honorable David E. Clarenbach
State Representative
112 North-State Capitol
Madison, Wisconsin 53702

Dear Mr. Clarenbach,

This is in response to your 17 February letter to me and your 22 February letter to President Carter, which has been referred to my office.

You have asked me to explain this Agency's interest in a bill which you have proposed in the Wisconsin State Legislature.

There are two reasons, and I hope you will agree that they are not only justifiable but that they are not sinister, as you apparently believed initially.

First, the Central Intelligence Agency has a general interest in legislation concerning individual privacy and freedom of information to ensure that no Agency activity contravenes federal or state laws.

Secondly, our interest in state legislation stems from the fact that we employ persons from every state in the Union who, as individual citizens, frequently have questions concerning the effect of state statutes on their right to privacy, their obligation to provide state agencies with personal information, and their need to obtain personal information and records concerning themselves and their families from state agencies. The point here is that many of our employees are serving abroad and thus have difficulty keeping abreast of procedures such as those involved in obtaining necessary information, for example.

Maintaining a record of applicable statutes is an attempt to provide an informed basis for replies to employees who seek information as to the impact of state laws on their rights and responsibilities arising from their individual resident status.

As to the reason why our request was directed to the state records center rather than to those whom you list in your letter, I can only say that the person who made the request felt it was the appropriate way to obtain the information. Let me thank you, however, for your kind offer of future assistance. We will take advantage of it if we find it necessary.

Please allow me to reiterate here what I said in our telephone conversations: While our request for information was properly and promptly identified as coming from the Central Intelligence Agency, you declined to identify yourself during your initial call to our local office. This did indeed result in some confusion.

I cannot really address your point regarding domestic surveillance other than to say that there is and has been none in this matter. The same is true for your question about legal authority for seeking information about state laws. I do not believe such authority exists or is required.

In conclusion, allow me to take up one point you made in your letter to the President [redacted]

I detailed to you on the telephone what the purposes and functions of those offices are, and I mentioned that these matters had been testified to by our former Director, Mr. Colby. I am taking the liberty of enclosing herewith a copy of his 20 February 1975 testimony before the Defense Subcommittee of the House Appropriations Committee.

If you find an impropriety is committed when an employee of one of our offices, [redacted] seeks information about a bill in the legislature, then, sir, with all due respect, I disagree.

Since you chose to bring your side of this matter to the attention of the press before we had a chance to respond, I trust that your sense of fairness will now lead you to rectify the situation.

Sincerely,

[redacted]
Deputy Assistant to the
Director of Central Intelligence

cc: White House

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